

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. ASSESSMENT OF AND REPORT ON [COUNTER-UAS SYSTEM] CAPABILITIES OF MILITARY FORCES OF UNITED STATES PARTNERS IN IRAQ.

(a) IN GENERAL.—Not later than March 1, 2022, the Secretary of Defense shall —

(1) complete an assessment of—

(A) the current state of [counter-UAS system (as defined in section 44801 of title 49, United States Code) capabilities] of military forces of United States partners in Iraq, including in the Iraqi Kurdistan Region; and

(B) the implications of such capabilities for the security of the United States and United States partners against attacks by unmanned aircraft systems (as defined in section 44801 of title 49, United States Code) in Iraq; and

(2) submit to the congressional defense committees a report on the findings of the assessment completed under paragraph (1).

(b) ELEMENTS.—The report submitted under subsection (a)(2) shall include—

(1) the current level of [counter-UAS system] training and amount of equipment available to the military forces of United States partners in Iraq, including in the Iraqi Kurdistan Region;

(2) a description of the type of additional training and equipment needed to maximize the level of [counter-UAS system] capabilities of such military forces;

(3) an analysis of the availability of additional training and equipment required to maximize such capabilities; and

(4) any other matter the Secretary of Defense considers appropriate.

SA 3996. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. REPORT ON COSTS AND BENEFITS OF MAINTAINING A MINIMUM OF 12 PRIMARY AIRCRAFT AUTHORIZED FOR EACH TYPE OF SPECIALTY MISSION AIRCRAFT.

(a) SENSE OF SENATE.—It is the sense of the Senate that it is important to maintain safety and increase mission readiness and interoperability of the weather reconnaissance, aerial spray, and firefighting system specialty mission capabilities of the Air Force Reserve Command.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the costs and benefits of maintaining a minimum of 12 primary aircraft authorized for each type of specialty mission aircraft.

SA 3997. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of

Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON THE DEMILITARIZATION ABROAD OF UNSERVICEABLE MUNITIONS LOCATED OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the feasibility and advisability of demilitarizing abroad unserviceable munitions that are located outside the United States in order to avoid the costs of transporting such munitions to the United States for demilitarization.

(b) CONSIDERATIONS.—In preparing the evaluation required for the report, the Secretary shall take into account the following:

(1) The need for mitigation of adverse environmental impacts, or impacts to the health and safety of local populations, in the demilitarization of unserviceable munitions.

(2) The availability and ease of use of munitions demilitarization technologies and mechanisms abroad, whether or not currently in use by the Army, including available non-incineration technologies.

(3) Any costs savings achievable through demilitarization of unserviceable munitions abroad.

(c) TECHNOLOGIES.—If the Secretary determines for purposes of the report that the demilitarization abroad of unserviceable munitions located outside the United States is feasible and advisable, the report shall include a description and assessment of various technologies and other mechanisms that would be suitable for such demilitarization.

SA 3998. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON ENERGY PRODUCT SUPPLY CHAINS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the strength and vitality of United States energy product supply chains, including—

(1) the level of dependence of the United States on foreign nations for energy products;

(2) the impact of Federal regulations and statutes, including subtitle II of title 46, United States Code, on United States energy product supply chains; and

(3) recommendations on how to secure and protect United States energy product supply chains.

SA 3999. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appro-

priations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PARTICIPATION IN HEALTH SAVINGS ACCOUNTS.

(a) IN GENERAL.—Subparagraph (C) of section 223(c)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

“(C) SPECIAL RULE FOR INDIVIDUALS ELIGIBLE FOR CERTAIN DEPARTMENT OF DEFENSE OR VETERANS BENEFITS.—An individual shall be treated as an eligible individual for any period if the individual—

“(i) receives hospital care or medical services under any law administered by the Secretary of Veterans Affairs for a service-connected disability (within the meaning of section 101(16) of title 38, United States Code),

“(ii) is covered under the TRICARE program (as defined in section 1072 of title 10, United States Code), or

“(iii) is enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SEC. ____ . TREATMENT OF DIETARY SUPPLEMENTS AS MEDICAL EXPENSES FOR CERTAIN INDIVIDUALS.

(a) IN GENERAL.—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) DIETARY SUPPLEMENTS.—In the case of an individual to whom subsection (c)(1)(C) applies, amounts paid for dietary supplements shall be treated as paid for medical care. For purposes of this paragraph, the term ‘dietary supplement’ has the meaning given such term by section 201(ff) of the Federal Food, Drug, and Cosmetic Act.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SA 4000. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ . TREATMENT OF FUNDS RECEIVED BY NATIONAL GUARD BUREAU AS REIMBURSEMENT FROM STATES.

Section 710 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(g) TREATMENT OF REIMBURSED FUNDS.—Any funds received by the National Guard Bureau from a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands as reimbursement under this section for the use of military property shall be credited to—

“(1) the appropriation, fund, or account used in incurring the obligation; or

“(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.”.

SA 4001. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEPARTMENT OF DEFENSE SPECTRUM AUDIT.

(a) **AUDIT AND REPORT.**—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information and the Secretary of Defense shall jointly—

(1) conduct an audit of the electromagnetic spectrum that is assigned or otherwise allocated to the Department of Defense as of the date of the audit; and

(2) submit to Congress, and make available to each Member of Congress upon request, a report containing the results of the audit conducted under paragraph (1).

(b) **CONTENTS OF REPORT.**—The Assistant Secretary of Commerce for Communications and Information and the Secretary of Defense shall include in the report submitted under subsection (a)(2), with respect to the electromagnetic spectrum that is assigned or otherwise allocated to the Department of Defense as of the date of the audit—

(1) each particular band of spectrum being used by the Department of Defense;

(2) a description of each purpose for which a particular band described in paragraph (1) is being used, and how much of the band is being used for that purpose;

(3) the geographic area in which a particular band described in paragraph (1) is being used;

(4) whether a particular band described in paragraph (1) is used exclusively by the Department of Defense or shared with a non-Federal entity; and

(5) any portion of the spectrum that is not being used by the Department of Defense.

(c) **FORM OF REPORT.**—The report required under subsection (a)(2) shall be submitted in unclassified form but may include a classified annex.

SA 4002. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10 ____ . CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NORTH ATLANTIC TREATY ORGANIZATION COUNTRIES.

Section 8679 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “subsection (b)” and inserting “subsections (b) and (c)”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) **CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NATO COUNTRIES.**—The Secretary of the Navy may construct a naval vessel in a foreign shipyard if—

“(1) the shipyard is located within the boundaries of a member country of the North Atlantic Treaty Organization; and

“(2) the cost of construction of such vessel in such shipyard will be less than the cost of construction of such vessel in a domestic shipyard.”.

SA 4003. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV, insert the following:

SEC. ____ . REPORTING ON END STRENGTH RATIONALES.

Section 115a(b) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The Secretary”;

(2) by inserting “, including an assessment of the most important threats facing the United States by regional command and how personnel end strength level requests address those specific threats” after “in effect at the time”; and

(3) by adding at the end the following new paragraph:

“(2) Not later than May 1 each year, the Secretary shall provide a briefing to Congress including—

“(A) the rationale for recommended increases or decreases in active, reserve, and civilian personnel for each component of the Department of Defense;

“(B) the rationale for recommended increases or decreases in active, reserve, and civilian personnel for each of the regional combatant commands;

“(C) the primary functions or missions of military and civilian personnel in each regional combatant command; and

“(D) an assessment of any areas in which decreases in active, reserve, or civilian personnel would not result in a decrease in readiness.”.

SA 4004. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CATEGORICAL EXCLUSIONS IN ENVIRONMENTAL REVIEWS.

(a) **DEFINITIONS.**—In this section:

(1) **ENVIRONMENTAL ASSESSMENT.**—The term “environmental assessment” has the mean-

ing given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(2) **ENVIRONMENTAL IMPACT STATEMENT.**—The term “environmental impact statement” means a detailed statement required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(3) **PROPOSED ACTION.**—The term “proposed action” means an action (within the meaning of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)) proposed to be carried out by the Secretary under this Act.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Defense.

(b) **CATEGORICAL EXCLUSIONS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law and subject to paragraph (2), the Secretary may, with respect to a proposed action and without further approval, use a categorical exclusion under title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) that has been approved by—

(A)(i) another Federal agency; and
(ii) the Council on Environmental Quality; or

(B) an Act of Congress.

(2) **REQUIREMENTS.**—The Secretary may use a categorical exclusion described in paragraph (1) if the Secretary—

(A) carefully reviews the description of the proposed action to ensure that it fits within the category of actions described in the categorical exclusion; and

(B) considers the circumstances associated with the proposed action to ensure that there are no extraordinary circumstances that warrant the preparation of an environmental assessment or an environmental impact statement.

SA 4005. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12 ____ . REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) **FINDING.**—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary to submit to Congress an annual report on the contributions of allies to the common defense.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the threats facing the United States—

(A) extend beyond the global war on terror; and

(B) include near-peer threats; and

(2) the President should seek from each country described in subsection (c)(2) acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with